

**BOARD OF SELECTMEN**  
**MARCH 18, 2013**

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**I. Call to Order/Roll Call**

Chairman Paul Salafia reconvened the meeting of the Board of Selectmen to order at 7:16 P.M. in the Selectmen's Conference Room at the Town Offices. Present: Roll Call – Paul Salafia-Y, Alex Vispoli-Y, Brian Major-Y, Mary Lyman-Y and Dan Kowalski-Y. Also present: Town Manager Buzz Stapczynski. The meeting was duly posted and cable-cast live.

**II. Executive Session**

At 6:04 P.M. on a motion by Selectman Vispoli and seconded by Selectman Kowalski, the Board of Selectmen entered into Executive Session to discuss litigation strategy that would be detrimental to the Town's position if discussed in Open Session. Roll call vote: Brian Major-Y, Mary Lyman-Y, Alex Vispoli-Y, Dan Kowalski-Y, Paul Salafia-Y. At 7:06 P.M. on a motion by Selectman Lyman and seconded by Selectman Major, the Board adjourned from Executive Session to enter into Open Session, not to return to Executive Session. Roll call vote: Brian Major-Y, Mary Lyman-Y, Alex Vispoli-Y, Dan Kowalski-Y, and Paul Salafia-Y.

**III. Opening Ceremonies**

Chairman Salafia asked for a Moment of Silence followed by the Pledge of Allegiance.

**IV. Communications/Announcements/Liaison Reports**

The Town Manager made the following announcements:

- ~ The Annual Town Election will be held on Tuesday, March 26<sup>th</sup>. All voting will take place at the AHS Collins Field House. The Swearing-in Ceremony for all elected candidates will be held on Wednesday, March 27<sup>th</sup> from 5:00 PM to 6:00 PM in the Selectmen's conference room.
- ~ The Finance Committee and Board of Selectmen will hold a Joint Meeting on Wednesday, March 20<sup>th</sup> to discuss the Water & Sewer Budgets and rate analysis.
- ~ Nominations for the Virginia Cole Community Service Award should be submitted to the Town Manager's Office by April 12<sup>th</sup>. Nominations for the Shining Star Award should be sent to the Senior Center prior to March 29<sup>th</sup>.
- ~ The League of Women Voters will hold a Budget Forum on Wednesday, April 3<sup>rd</sup> at 7:00 P.M. at the Memorial Hall Library.

Selectman Vispoli announced that the Annual Fund for Education Spelling Bee is scheduled for Friday, March 22<sup>nd</sup> from 6:00 P.M. to 9:00 P.M. at the West Middle School with each school represented by a team. Selectman Vispoli will be the Master of

Ceremonies and Selectman Major will be a judge.

Chairman Salafia reported that the Andover Youth Foundation raised over \$150,000 from their Telethon last week which speaks volumes about the support in the community for our youth.

**V. Citizens Petitions & Presentations - None**

**VI. Public Hearing**

**A. Street Lay Out**

Attorney Jonathan Rossi, representing the property holders of Crystal Circle, requested that the public hearing be continued for two weeks.

Selectman Lyman motioned to continue the public hearing for the Street Lay Out of Crystal Circle until Monday, April 1, 2013. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

**VII. Regular Business of the Board**

**A. 2013 Annual Town Meeting**

**1. Warrant Article Discussion**

P-20 – Land Acquisition – 141 Chandler Road – Attorney Urbelis explained that part of the property next to the Little League Fields and Town Landfill at 141 Chandler Road had some contamination and the Town Engineer has advised that the most economical step to clean up the contamination would be for the Town to purchase the land at a cost of \$775,000 which includes installing a fence along the property. The appraisal price was agreed to by the landowner. The cost would be over \$1M if the Town does not purchase the property.

Selectman Major motioned to recommend approval of Warrant Article P-20 – Land acquisition for 141 Chandler Road in the amount of \$775,000. The motion was seconded by Selectman Lyman and voted 5-0 to recommend approval.

P-42 – Zoning Bylaw Amendment, Valances of Awnings – Anita Renton, a member of the Andover Design Review Board, explained the relaxed requirements being requested which would be exempt from sign bylaws and approved by the Design Board.

Selectman Lyman motioned to recommend approval of Warrant Article P-52 Zoning Bylaw- Valances of Awnings as presented. The motion was seconded by Selectman Vispoli and voted 5-0 to recommend approval.

P-59 Youth Center Transfer of Land – Chris Huntress, Chairman of the AYC Building Committee, said the warrant article addresses the need for the shift in location of the building 35' north to be beyond 50' of the wetlands buffer in order to comply with the bylaw. They are not requesting additional land, it is a clarification of what the Town voted in 2012, they spoke with neighbors, and the move does not affect the location to the track. The warrant article will be presented to the School Committee on Thursday, March 21, 2013.

Selectman Major motioned to recommend approval of warrant article P-59 Andover Youth Center Transfer of Land as presented. The motion was seconded by Selectman Vispoli and voted 5-0 to recommend approval.

P-61 Zoning Bylaw Amendment Section 8.1.2– Watershed Overlay Protection District Acting DPW Director Chris Cronin distributed a map of the area and the additional language added in 2009. The warrant article is more housekeeping in nature to clarify that Fishbrook does not have protection to tributaries that Haggett's Pond does.

Selectman Major motioned to recommend approval of warrant article P-61 Zoning Bylaw Amendment – Watershed Overlay Protection District as presented. The motion was seconded by Selectman Vispoli and voted 5-0 to recommend approval.

B. The status of warrant articles discussed by the Board of Selectmen is as follows:

P-32 AHS Tennis Courts Renovations – Hold

P-21 Jerry Silverman Fireworks

Selectman Kowalski motioned to recommend approval of warrant article P-21 Jerry Silverman Fireworks in the amount of \$14,000. The motion was seconded by Selectman Vispoli and voted 5-0 to recommend approval.

P-17 – Ballardvale Fire Station Repair, Rehabilitation, Restoration

On a motion by Selectman Major and seconded by Selectman Vispoli, the Board voted 4-0-1 to recommend disapproval of this article. Selectman Lyman abstained. The Board felt the article was not applicable to the 2013 Town Meeting and that a policy decision to either prolong the life of the Station or build a new one needs to be made first.

P-18 DMS Site Improvements – Hold

P-11-A Grant Program Authorization, 11-B Road Contracts, 11-C Town Report, 11-D Property Tax Exemption, 11-E Contracts in Excess of Three Years, 11-F Accepting Easements

Selectman Vispoli motioned to recommend approval of warrant articles 11A through 11 F as presented. The motion was seconded by Selectman Lyman and voted 5-0 to recommend approval.

P-12 Granting Easements

Selectman Major motioned to recommend approval of warrant article P-12 Granting Easements. The motion was seconded by Selectman Lyman and voted 5-0 to recommend approval.

P-14 Chapter 90 Authorizations

Selectman Lyman motioned to recommend approval of warrant article P-14 Chapter 90 Authorizations. The motion was seconded by Selectman Major and voted 5-0 to recommend approval.

P-15 FY-2014 Revolving Accounts

Selectman Major motioned to recommend approval of warrant article P-15 2014 Revolving Accounts. The motion was seconded by Selectman Lyman and voted 5-0 to recommend approval.

P-19 Support for Civic Events

Selectman Major motioned to recommend approval of warrant article P-19 Support for Civic Events in the amount of \$4,000 as presented. The motion to recommend approval was seconded by Selectman Major and voted 5-0.

P-20 Elderly/Disabled Transportation Program

Selectman Lyman motioned to recommend approval of warrant article P-20 Elderly/Disabled Transportation Program in the amount of \$8,000 as presented. The motion to recommend approval was seconded by Selectman Major and voted 5-0.

P-22 Monument at Deyermund Field

Selectman Major motioned to recommend approval in the amount of \$25,000 for Warrant Article P-22 Monument at Deyermund Field. The motion was seconded by Selectman Kowalski and unanimously voted to recommend approval. They would like to have additional information on the details of the design.

P-46 Fire Hydrant Infrastructure Maintenance – Hold

P-29 Greater Lawrence Technical HVAC Renovation

Selectman Vispoli motioned to recommend approval in the amount of \$22,717 of warrant article P-29 for the HVAC Renovation at the Greater Lawrence Technical High School as presented. The motion was seconded by Selectman Lyman and voted 5-0 to

recommend approval.

P-35 School Facility Space Needs Study

Selectman Vispoli motioned to recommend approval of warrant article P-35 School Facility Space Needs Study in the amount of \$130,000. The motion to recommend approval was seconded by Selectman Kowalski and voted 4-0-1 to approve with Selectman Lyman abstaining.

P-37 Annual Computer Work Station and Laptop Replacement Program

Hold – until an update received from the CIO of Technology.

Selectman Kowalski had a question regarding warrant article P-25 – Fire Rescue in the amount of \$270,000. He would like to know how frequent the 2002 ambulance is used, if there are any sharing/mutual aid arrangements if the need arises and can we defer this spending to a future year. The Town Manager will find out and share the information with the Board at the next meeting.

3. Signing of the Warrant

On a motion by Selectman Major and seconded by Selectman Lyman, the Board of Selectmen voted 5-0 to sign the Warrant for the 2013 Annual Town Meeting to be held on Monday, May 6, 2013.

4. Future Meeting Dates

On a motion by Selectman Vispoli and seconded by Selectman Kowalski, the Board approved future meeting dates on April 1, April 22, May 22, June 3, and June 17, 2013.

**VIII. Consent Agenda**

A. Appointments and Re-appointments

On a motion by Selectman Major and seconded by Selectman Vispoli, the Board voted 5-0 that the following appointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>PLANT &amp; FACILITIES DEPARTMENT</u>			
Yoel Sosa	Security Guard – PT (v. W. Hale)	WO/\$19.39/hr.	3/23/13

CULTURAL COUNCIL

Lenore A. Price – Term expires 6/30/16

**IX. Approval of Minutes from Previous Meetings**

On a motion by Selectman Lyman and seconded by Selectman Major, the Board voted 5-0 to approve the Minutes of the February 25, 2013 Regular Meeting, the February 25, 2013 Joint Meeting w/the Finance Committee, the February 27, 2013 Tri-Board Meeting and the February 27, 2013 Joint Meeting w/the Finance Committee.

**X. Adjournment**

At 8:32 P.M., on a motion by Selectman Lyman and seconded by Selectman Major, the Board unanimously voted to adjourn the Regular Meeting of March 18, 2013.

Respectfully submitted,

Dee DeLorenzo  
Recorder

Documents: Fishbrook/Haggetts Pond Watershed Protection Overlay District Map  
Letter from Urbelis & Fieldsteel regarding Street Acceptance for Crystal Circle